

6 May 1953

MEMORANDUM FOR THE RECORD

SUBJECT: Disposition of OS Records

1. On 28 October 1952, this office forwarded Form No. 60-52, Request for Authority to Dispose of Records, to [redacted]. This form contained a request to dispose of two inactive files after microfilming. Specifically, the files were the O.15.1 File and the IR File.

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2. On 28 April 1953, [redacted] in reply to a query from this office, informed the undersigned that prior to forwarding the aforementioned request to National Archives it would be necessary to obtain a more adequate description of the files as well as samples of each file.

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3. This office interposed no objection to forwarding a more detailed description of the files. However, it is felt that the release of samples of the files in question is not in keeping with policy that has been in existence for over three years.

4. To substantiate RI's position in this matter numerous documents were reviewed. There follows excerpts from documents which have a distinct bearing on the matter:

a. On 25 November 1949, the Executive Officer of OSO advised "Arrangements had been made by his office with [redacted] of the CIA Management Office to the effect that OSO would maintain its own records management program...no non-OSO records management officer would be permitted access to OSO..."

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b. On 17 February 1950, the Records Officer OSO wrote "On the basis of agreements reached in discussion with representatives of the Management Staff it is understood...no non-OSO personnel are authorized access to, or information concerning records in OSO."

c. On 23 March 1950, [redacted] Management Officer stated "Those records which you determine to be sensitive need not be reported to the CIA Records Officer..."

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d. On 20 April 1950, in a memorandum addressed to AOSO, A-FC, Chief Advisory Council, and Chief, I&SO, the Acting Executive writing for the DCI stated "Those records which you determine to be sensitive need not be reported to the CIA Records Officer. Records

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determined to be sensitive will be appropriately entered on the inventory form, entries evaluated for disposal and retention purposes, and disposal schedules and retention tables prepared and submitted to the Executive for approval and return to you for further action.

e. On 12 October 1950, representatives of OSC, OPC and SSS in a memorandum to the CIA Records Officer stated "As agreed at that meeting (the CIA Records Officer was present, RWH) you are hereby notified that it is our considered judgment that any records under our control are sensitive material and that you are therefore relieved of direct responsibility for their management".

f. On 26 March 1952, the D2OSC in a Memorandum for the Record stated "Colonel White (DD/A RWH), agrees that Administrative Services should not have recourse to OSC files."

g. In a memorandum to the Chief, CIA Library, OCD dated 2 October 1950, Subject: Disposal of Records, the Legal Staff Stated "Public Law 253 provides that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure." If the Director deems compliance with any existing law will result in such disclosure, no compliance is necessary." The Legal Staff also stated that "The exact meaning of this phrase ("For protecting intelligence sources and methods.") is more of an operational than a legal problem..."

5. Thus the Legal Staff feels that the determination of as to what records involve protection of intelligence sources and methods, is operational rather than legal. The representatives of OSC and OPC stated in effect that all OSC and OPC (Now CS) records fell within the "protection phrase" of PL 253 and were "Sensitive". This when considered with the excerpts from the Executive writing for the DCI would dictate the following policy:

That all records in the Clandestine Services are sensitive and thus these records are within the purview of PL 253.

Further that no one outside of Clandestine Services will have access to these records, and that schedules for their disposition will be submitted only to the Executive for approval.

[Redacted]
Projects Officer, RI

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25X1 Note: I contacted [Redacted] secretary to obtain information on the "Executive". She informed me that the Executive performed the duties now performed by the DD/P, DD/A and DD/I and was in the Office of DCI. She further stated that anything which would have been routed to the Executive should now be routed to the DCI.

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